

AMENDED

No. 72975

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 30 2005

Returned to applicant for correction JUL 25 2005

Corrected application filed JUL 28 2005

Map filed JUL 28 2005

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The applicant **KIMBLE AND BETTY L. MOFFITT** hereby make application for permission to change the **PLACE OF USE** Of a portion of water heretofore appropriated under **United States of America v. Orr Ditch Co. in Equity No. A-3 Claim No 3; in the Federal District Court of Nevada.**

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1. The source of water is **Truckee River**
2. The amount of water to be changed **7.11 Ac. Ft.**
3. The water to be used for **As decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Derby Dam located within the N½ SW¼, Section 19, T20N, R23E, M.D.B.&M**
6. The existing permitted point of diversion is located within
7. Proposed place of use **SW SE Section 10, T20N, R24E, 1.58 ac; A total of 1.58 acres.**
8. Existing place of use **SW SE Section 10, T20N, R24E, 1.58 ac; A total of 1.58 acres.**
9. Use will be from **AS DECREED.**
10. Use was permitted from **AS DECREED.**
11. Description of proposed works **Dams, canals and ditches.**
12. Estimated cost of works
13. Estimated time required to construct works
14. Estimated time required to complete the application of water to beneficial use

15. Remarks:

By Steven N. Bell, S.W.R.S. #1137  
s/ Steven N. Bell  
3100 Mill Street, Suite 100  
Reno, Nevada 89502

Compared gkl/sam bcm/gkl

Protested \_\_\_\_\_

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**APPROVAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of the Truckee River as set forth under the Newlands Reclamation Project rights in the Truckee River final decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount, which can be applied to beneficial use, and not to exceed 7.11 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

March 20, 2009

Proof of the application of water to beneficial use shall be filed on or before:

April 20, 2009

Map in support of proof of beneficial use shall be filed on or before:

April 20, 2009

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20<sup>th</sup> day of March, A.D. 2006

  
State Engineer

Completion of work filed February 21, 1996 under 60692

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_